Fish & Richardson p.c.

1425 K Street, N.W. 11th Floor Washington, DC 20005

Telephone 202 783-5070

Facsimile 202 783-2331

Web Site www.fr.com

Edwin N. Lavergne (202) 626-6359 lavergne@fr.com

Frederick P. Fish 1855-1930

W.K. Richardson 1859-1951

July 8, 2003

Via Electronic Comment Filing System

Ms. Marlene H. Dortch Secretary Federal Communications Commission 445 Twelfth Street, S.W. Washington, D.C. 20554

boston dallas delaware

new york san diego

silicon valley twin cities washington, dc Re: <u>EX PARTE</u>

Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands WT Docket No. 03-66, RM-10586

1058

Dear Ms. Dortch:

On Tuesday, July 8, 2003, Monsignor Michael J. Dempsey of the Diocese of Brooklyn and President of the Catholic Television Network (CTN), Michael Lavery from the Archdiocese of New York, David G. Moore from the Archdiocese of Los Angeles, Ken Kolb and Bing Eberhart from the Archdiocese of Detroit, Michael McGee from the Diocese of Dallas, Jay Fadden and Mark Quella from the Archdiocese of Boston, David Brewer from Counterpoint Communications, Inc., Jim Disch from the Archdiocese of Chicago, Brother Dominic Calabro from the Diocese of Youngstown, Monsignor Lawrence Baird from the Diocese of Orange and the undersigned met with Commissioner Kathleen Q. Abernathy, Jennifer Manner, her Senior Counsel and Liz Drogula, an intern in Commissioner Abernathy's office. At the meeting, we discussed (i) the educational benefits of using Instructional Television Fixed Service ("ITFS") spectrum for video program delivery and other new services, (ii) how spectrum leasing offers significant benefits to the members of CTN through increased revenues and access to shared network services, and (iii) CTN's objection to rule change that would allow ITFS spectrum to be sold to commercial entities. In addition, we discussed CTN's concerns regarding the possibility that WorldCom, Inc. and its subsidiaries may reject ITFS spectrum leases and take other actions

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which could prevent ITFS licensees from accessing equipment and other facilities controlled by WorldCom.

As permitted by Section 1.49(f)(1)(i), this *ex parte* submission and the associated attachment is being filed via the Commission's Electronic Comment Filing System. Please contact the undersigned if there are any questions in connection with this matter.

Respectfully submitted,

<u>/s/ Edwin N. Lavergne</u> Counsel to the Catholic Television Network

cc: Jennifer Manner, Esq.
Monsignor Michael J. Dempsey